

REMARKS/ARGUMENTS

Claims 1-13 are pending in the instant application. Claims 14 and 15 have been cancelled without prejudice.

The following remarks are believed to be fully responsive to the Office Action.

THE REJECTIONS UNDER 35 U.S.C. § 103

SHOULD BE WITHDRAWN

Claims 1-13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Luthra et al., WO 03/002157 A1 (“Luthra”) in view of Goodman, WO 97/17092 (“Goodman”). In response, Applicants respectfully submit that the instant invention and Luthra were commonly owned by the same party at the time of filing of the instant invention. Thus, Luthra should be disqualified as a prior art against the invention.

It is therefore respectfully submitted that 35 U.S.C. 103 rejections of claims 1-13 over Luthra in view of Goodman be withdrawn.

CONCLUSION

In view of the amendments and remarks herein, applicants believe that each ground for rejection or objection made in the instant application has been successfully overcome or obviated, and that all the pending claims are in condition for allowance. Withdrawal of the Examiner's rejections and objections, and allowance of the current application are respectfully requested.

The Examiner is invited to telephone the undersigned in order to resolve any issues that might arise and to promote the efficient examination of the current application.

Respectfully submitted,

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